IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Bail Appl..No. 6395 of 2007()

[CRIME NO.16/2007 OF EXCISE RANGE OFFICE, NORTH PARAVUR]

.....

: PETITIONER/ACCUSED:

THOMAS ASSI, S/O. THOMMAN,
AGED 51 YEARS, PANAKKAL HOUSE, CHATHEDAM KARA,
THIRUTHIPPURAM, CHENDAMANGALAM VILLAGE,
PARAVUR TALUK.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: STATE:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM (CRIME NO.16 OF 2007 OF EXCISE RANGE OFFICE, N. PARAVUR).

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6395 of 2007

Dated this the 22nd day of October 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of arrack on 09/072007. He was arrested on 20/09/2007 and continues in custody from that date. The petitioner is the accused in one earlier crime also registered under the Kerala Abkari Act, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 27/10/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007